

MAY 05 2004

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FAX FILING IN U.S. PATENT & TRADEMARK OFFICEDATE: May 5, 2004TIME: 2:47 PM

TO:	Primary Examiner E. Cherry	FAX NO.:	(703) 872-9306
FROM:	Lowell Carson	ADMIN. ASST.:	Fran Petrillo
APPLN. NO.:	09/935,027	ATTY. DOCKET NO.:	MTS-3270US
TITLE OF APPLN.: OPTICAL ELEMENT AND METHOD OF FABRICATION THEREOF			
FILING DATE:	August 22, 2001	ART UNIT:	2872
FIRST INVENTOR:	M. Shimada	CONF. NO.:	9204
TITLE OF DOCUMENT (and List of Attachments): Response to Final Office Action			

Total Number of Pages: 8 (including this form)**COMMENTS**

Examiner Cherry,

Please find enclosed a Response based on our telephone discussion of April 15, 2004.

Lowell Carson *lc***CONFIDENTIAL AND PRIVILEGED ATTORNEY/CLIENT INFORMATION**

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PTO/SB/21 (05-03) (AW 07-03)

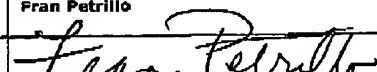
Approved for use through 04/30/2003. OMB 0851-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/935,027
	Filing Date	August 22, 2001
	First Named Inventor	Mikihito Shimada et al.
	Art Unit	2872
	Examiner Name	Euncha P. Cherry
	Attorney Docket No.	MTS-3270US
Total Number of Pages in This Submission 7		

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s)	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Request for Refund	
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SIGNATURE OF APPLICANT, ATTORNEY OR AGENT		
Firm or Individual	Allan Ratner/Lowell L. Carson	Registration No. (Attorney/Agent) 19,717/48,548
Signature		
Date	May 5, 2004	

CERTIFICATE OF TRANSMISSION / MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:			
Name (Print/Type)	Fran Petrillo		
Signature		Date	May 5, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, ALEXANDRIA, VA 22313-1450.

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Appln. No.: 09/935,027
Amendment Dated May 5, 2004
Reply to Office Action of March 29, 2004

OFFICIAL

MTS-3270US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No: 09/935,027
Applicant: M. Shimada et al.
Filed: August 22, 2001
Title: OPTICAL ELEMENT AND METHOD OF FABRICATION THEREOF
TC/A.U.: 2872
Examiner: E. Cherry
Confirmation No.: 9204
Docket No.: MTS-3270US

AMENDMENT UNDER 37 C.F.R. § 1.116

Expedited Procedure

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Sir:

Responsive to the Final Office Action dated March 29, 2004, please amend the above-identified application as follows:

- ☐ Amendments to the Specification begin on page of this paper.
- ☒ Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.
- ☐ Amendments to the Drawings begin on page of this paper and include an attached replacement sheet(s).
- ☐ Amendments to the Abstract are on page of this paper. A clean version of the Abstract is on page of this paper.
- ☒ Remarks/Arguments begin on page 5 of this paper.